

**ENTERED**

March 03, 2016

David J. Bradley, Clerk

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF TEXAS  
HOUSTON DIVISION

TRANSCANADA KEYSTONE PIPELINE,	§	
LP, <i>et al</i> ,	§	
	§	
Plaintiffs,	§	
VS.	§	CIVIL ACTION NO. 4:16-CV-36
	§	
JOHN F KERRY, <i>et al</i> ,	§	
	§	
Defendants.	§	

**ORDER SETTING BRIEFING SCHEDULE FOR DISPOSITIVE MOTIONS AND  
CANCELLING CASE MANAGEMENT CONFERENCE**

WHEREAS the parties have advised the Court that they believe this case can be resolved on dispositive motions without the need for discovery; AND

WHEREAS the briefing schedule for the filing of dispositive motion jointly proposed by the parties is acceptable to the Court;

IT IS HEREBY ORDERED that:

1. Counsel for the parties are relieved of the obligation to file a joint discovery/case management plan; AND
2. The initial pretrial and scheduling conference scheduled for April 18, 2016 at 8:45 a.m. by telephone is hereby cancelled; AND
3. Defendants' March 15, 2016 deadline to answer or otherwise respond to the complaint is extended as set forth below; AND
4. The parties will file dispositive motions in accordance with the following schedule:

On or before April 1, 2016, defendants will file a motion to dismiss or in the alternative for summary judgment. The memorandum in support of the combined motion will be no more than 45 pages;

On or before April 8, 2016, anyone seeking to participate as amicus curiae in support of the defendants must file a motion for leave to file an amicus brief, along with the amicus brief of no more than 25 pages;

On or before May 2, 2016, plaintiffs will file an opposition to defendants' motion and a cross-motion for summary judgment. The combined memorandum in support of plaintiffs' motion and in opposition to defendants' motion will be more than 45 pages;

On or before May 9, 2016, anyone seeking to participate as amicus curiae in support of the plaintiffs must file a motion for leave to file an amicus brief, along with the amicus brief of no more than 25 pages.

On or before June 2, 2016, defendants will file a combined reply memorandum in support of its motion to dismiss or in the alternative for summary judgment and opposition to plaintiffs' cross-motion for summary judgment of no more than 45 pages;

On or before July 1, 2016, plaintiffs will file a reply memorandum in support of their motion for summary judgment of no more than 25 pages.

It is so **ORDERED**.

SIGNED on this 3<sup>rd</sup> day of March, 2016.

A handwritten signature in black ink, appearing to read "Kenneth M. Hoyt", written over a horizontal line.

Kenneth M. Hoyt  
United States District Judge